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Chickahominy Indian Tribe
Testimony before the Senate Indian Affairs Committee
Thomasina E. Jordon Indian Tribes of Virginia Federal Recognition Act - S. 480
June 21, 2006**

Thank you Chairman McCain and other distinguished members of this committee for inviting me here today to speak on Senate Bill 480 which is pending before your Committee. The bill, introduced by Senator George Allen is titled the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2005- S.480. A hearing on our Federal Recognition bill was held by this committee on October 09, 2002 (S. 2694) before Chairman Campbell. In addition, as you may remember I appeared before your committee last May and entered the testimony and evidence from the 2002 hearing into record. I am proud to appear again before the committee in this session of Congress for a more complete hearing on our legislation on behalf of the six Tribes named in S 480, the Eastern Chickahominy, the Monacan, the Nansemond, the Upper Mattaponi, the Rappahannock, and my Tribe the Chickahominy. That evidence included a strong letter of support from our Governor, Mark Warner, testimony from the Virginia Council of Churches and our anthropologist and many others supporting our Federal Recognition through Congress. As part of the record today I am submitting the letter from our current Governor Timothy Kaine who at his recent inaugural address pledged his strong support for the Federal Recognition of the Virginia Tribes. Beside me today is Dr. Helen Rountree, who is a renowned anthropologist specializing in the heritage of the Virginia Tribes, who worked on the petitions we filed with the BIA, and is prepared to assist with

any questions you may have about our history.

Senator McCain, I could tell you the much publicized story of the 17th Century Virginia Indians, but you, like most Americans, know our first contact history. Well known is the story of Chief Powhatan and his daughter Pocahontas, her picture being in this very capitol building with her English husband John Rolfe. I often say this country is here today because of the kindness and hospitality of my forebears who helped the English Colonists at Jamestown gain a foothold in a strange and new environment. But what do you know or what does mainstream America know about what happened in those years between the 17th century and today. The fact that we were so prominent in early history and then so callously denied our Indian heritage is the story that most don't want to remember or recognize. I, and those Chiefs here with me, stand on the shoulders of the Paspahegh led by Chief, Wovinchopunk whose wife was captured and taken to Jamestown Fort and “run through” with a sword, whose children were tossed overboard and then their brains were “shot out” as they floundered in the water, and whose few remaining tribal members sought refuge with a nearby tribe, possibly the Chickahominy. With this horrific action in August 1610, a whole Nation was annihilated. A Nation who befriended strangers, and, ultimately died at the hands of those same strangers. As we commemorate Jamestown 2007 and the birth of our Nation today, those of Indian heritage in Virginia are reminded of this history.

We are seeking recognition through an act of congress rather than the BIA because

actions taken by the Commonwealth of Virginia during the 20th Century erased our history by altering key documents as part of a systematic plan to deny our existence. This state action separates us from the other tribes in this country that were protected from this blatant denial of Indian heritage and identity. It has now been well documented in an Article written by Peter Hardin of the Richmond Times dispatch in 2000, the documentary genocide, the Virginia Indians suffered at the hands of Walter Ashby Plecker, a rabid separatist, who ruled over the Bureau of Vital Statistics in Virginia for 34 years, from 1912 to 1946. Although socially unacceptable to kill Indians outright, Virginia Indians became fair game to Plecker as he led efforts to eradicate all references to Indians on Vital Records. A practice that was supported by the state's establishment when the eugenics movement was endorsed by leading State Universities and when the State's legislature enacted the Racial Integrity Act in 1924. A law that stayed in effect until 1967 and caused my parents to have to travel to Washington D.C. on February 20, 1935 in order to be married as Indians. This vile law forced all segments of the population to be registered at birth in one of two categories, white or colored. Our anthropologist says there is no other state that attacked Indian identity as directly as the laws passed during that period of time in Virginia. No other ethnic community's heritage was denied in this way. Our state, by law, declared there were no Indians in the State in 1924, and if you dared to say differently, you went to jail or worse. That law stayed in affect half of my life.

I have been asked why I do not have a traditional Indian name. Quite simply my parents, as did many other native parents, weighed the risks and decided it was not worth the risk of going to jail.

On that note, I would like to honor Senator Allen who as Governor sponsored legislation in 1997 that acknowledged this injustice. Unfortunately while this law allows those of the living generations to correct birth records, the law has not and cannot undo the damage done by Plecker and his associates to my ancestors records.

We are seeking recognition through Congress because this history of racism, in very recent times, intimidated the tribal people in Virginia and prevented us from believing that we could fit into a petitioning process that would understand or reconcile this state action with our heritage. We feared the process would not be able to see beyond the corrupted documentation that was designed to deny our Indian heritage. Many of the elders in our community also feared, and for good reason, racial backlash if they tried.

My father and his peers lived in the heart of the Plecker years and carried those scars to their graves. When I approached my father and his peers regarding our need for state or Federal recognition they pushed back very strongly. In unison they said. "Let sleeping dogs lie and do not rock the boat". Their fears of reprisal against those folks who had risked marrying in Virginia and whose birth records accurately reflected their identity outweighed their desire to openly pursue any form of recognition. Those fears were not

unfounded because the threat of fines or jail time was very real to modern Virginia Indians.

Senator McCain, the story I just recounted to you is very painful and I do not like to tell that story. Many of my people will not discuss what I have shared with you but I felt you needed to understand recent history opposite the romanticized, inaccurate accounts of 17th century history.

Let me tell you how we got here today. The six tribes on this bill gained State Recognition in the Commonwealth of Virginia between 1983-1989. In 1997 as I mentioned, Governor Allen passed the statute that acknowledged the State Action but it couldn't fix the problem - the damage to our documented history had been done.

Although there were meager attempts to gain federal acknowledgement by some of the tribes in the mid 20th century, our current sovereignty movement began directly after the passage of Governor Allen's legislation acknowledging the attack on our heritage. In 1999 we came to Congress when we were advised by the BAR (Bureau of Acknowledgement and Research) now OFA (Office of Federal Acknowledgement) that many of us would not live long enough to see our petition go through the administrative process. A prophecy that has come true. We have buried three of our chiefs since then.

Given the realities of the OFA and the historical slights suffered by the Virginia Indian Tribes for the last 400 years, the six tribes referenced in S. 480 feel that our situation

clearly distinguishes us as candidates for Congressional Federal recognition.

As Chief of my community, I have persevered in this process for one reason. I do not want my family or my community to let the legacy of Walter Plecker stand. I want the assistance of Congress to give the Indian Communities in Virginia, their freedom from a history that denied their Indian identity. Without acknowledgment of our identity, the harm of racism is the dominant history. I want my children and the next generation, to have their Indian Heritage honored and to move past what I experienced and my parents experienced. We, the leaders of the six Virginia Tribes, are asking Congress to help us make history for the Indian people of Virginia, a history that honors our ancestors who were there at the beginning of this great country.

I want to end with a quote credited to Chief Powhatan. I use this quote last year, but I want this year especially to honor him. Last summer I was one of two Chiefs to be hosted by the British Government; this was the first time a Virginia Indian had been honored since Pocahontas visited England with her English husband John Rolfe. I was moved that Pocahontas has been regarded with honor and distinction far beyond what America has afforded her father the paramount Chief in this country. To date no Chief in Virginia that lived in that era or since has received as much honor as Pocahontas. This quote, from Chief Powhatan to John Smith, maybe has been forgotten but ironically the message still has relevance today,

I wish...that your love to us might not be less than ours to you. Why should you take by force that which you can have from us by love? Why should you destroy us who have provided you with food? What can you get by war?...In such circumstances, my men must watch, and if a twig should but break, all would cry out, "Here comes Captain Smith." And so, in this miserable manner to end my miserable life. And, Captain Smith, this might soon be your fate too.... I, therefore, exhort you to peaceable councils, and above all I insist that the guns and swords, the cause of all our jealousy and uneasiness, be removed and sent away..

Senator McCain, our bill would give us this peace that Chief Powhatan sought, it would honor the treaty our ancestors made with the early Colonists and the Crown, and at this time that we are commemorating the 400th anniversary of the birth of the greatest nation in the world it would show respect for our heritage and identity, that through jealousy perhaps has never before been acknowledged.